

dangerous substances that may be in the food we eat for nourishment or the pharmaceuticals that we take to cure our ills. Only our FDA in this country can assure the safety of drugs for American citizens. I think this House would be shirking its duty if we created a system that relied upon the actions of regulatory officials in Canada, Thailand, Belize or Barbados to ensure the safety of American patients. Allowing drug reimportation from foreign countries would only be a signal to foreign drug counterfeiters that it is open season on the health and safety of Americans citizens. Make no mistake, Mr. Speaker, these foreign counterfeiters are very clever; and with all due respect to my colleague who held up the package this evening, packaging in and of itself does not guarantee that that has not been tampered with and that that is not a counterfeit item. I could relate to you stories from my own medical practice from a few years ago where patients had what might be politely described as therapeutic misadventures by the ingestion of drugs which were imported, illegally, from Mexico.

The House can approach the drug cost issue through far less shortsighted solutions than permitting drug importation from foreign countries. Make no mistake, Mr. Speaker, the pharmaceutical companies in this country also have an obligation to control the cost and be certain that their profits are reasonable. Without this, we will continue to hear the arguments for reimportation nightly on the House floor. The purchasing power of the Federal Government should bring down the cost of safe pharmaceuticals in this country.

Mr. Speaker, we should remember the admonition of a long-ago physician, to first do no harm. In this House, we would do wise to heed that advice.

NATIONAL RAIL INFRASTRUCTURE PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, tonight I rise in support of investing in our Nation's rail infrastructure and making rail transportation part of a strong transportation triad that includes highway, air, and rail. The freight rail industry is one that provides services that are key to the operation of practically every other industry.

In an atmosphere of mounting highway congestion and pollution, shippers ought to be changing more and more of their loads to rail. However, due to the fact that trains are not moving fast enough, these switches to rail are not being made. With 19th century signaling systems and antiquated grade-level junctions, railroads are often unable to deliver a truck-competitive service for many shippers. For example, trains that should be able to move

through Chicago in 6 to 8 hours are taking over 2 days.

While freight rail is a sensible, cost-effective way to absorb the expected increase in freight traffic, it is also becoming a major contributor to a variety of social ills, including air and noise pollution, congestion and a declining quality of life. Rail infrastructure improvements would raise the capacity of our transportation network for both goods and passengers; increase safety along the rail network; improve the environment wherever congestion is relieved; and eliminate waits at grade crossings. Since passenger rail service and rail-based transit systems typically share infrastructure with freight rail, improving freight rail infrastructure would also provide much-needed assistance to passenger and commuter rail.

In January, the American Association of State Highway and Transportation Officials released their freight rail bottom line report that states that an additional 2.6 to \$4 billion is needed annually for capital investment in our freight rail system. Last fall, the Federal Railroad Administration and the American Short Line and Regional Railroad Association commissioned a study that found short line railroads need nearly \$7 billion to upgrade tracks and structures to handle the newer 286,000-pound rail cars used by the class I railroads.

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So, how can we meet these growing rail capital needs? We cannot afford to simply rely on the railroads for these funds. The Association of American Railroads' policy position book for the 108th Congress states, "Especially over the past couple of years, railroads have become increasingly constrained in how much capital they can devote to infrastructure spending."

The answer to this rail infrastructure funding gap is the bill I have introduced, the National Rail Infrastructure Program, H.R. 1617. H.R. 1617 would create a new significant and dedicated stream of funds for rail projects. Just as we have the Highway Trust Fund and the Aviation Trust Fund, this legislation that I introduced last month would create a national rail infrastructure program. The total revenue stream in my legislation would amount to \$3.3 billion annually.

This is a Federal investment that the American public desperately wants. In fact, Strategies One, a Washington, D.C. polling firm, conducted a national public opinion poll that shows 63 percent of Americans strongly favor moving more freight by trains, especially when the alternative is adding to highway capacity larger and longer trucks.

We cannot afford to sit back as freight and passenger traffic swells. We must craft a multi-modal solution to this capacity shortfall in which we can all win, or else we will all massively lose. Therefore, I urge Members to join the 40 bipartisan cosponsors and me

and cosponsor H.R. 1617, the National Rail Infrastructure Program.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2115, FLIGHT 100—CENTURY OF AVIATION REAUTHORIZATION ACT

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 108-146) on the resolution (H. Res. 265) providing for consideration of the bill (H.R. 2115) to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE NEED FOR ASBESTOS LITIGATION REFORM

The SPEAKER pro tempore (Mr. FEENEY). Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

Mr. KIRK. Mr. Speaker, in 48 hours Congress will face the single most important pending issue of legislation to help our economy. Does your 401(k) look like mine? If so, it is due to the dot.com bust, the war, recession, and possibly even a little bit of Martha Stewart. But it is also due to another problem, and this problem is depressing the value of 900 stocks that form the bedrock of our retirement savings.

The issue is asbestos liability reform. Really. We bankrupted asbestos makers like Johns Manville and U.S. Gypsum a long time ago, but lawsuits now reach out to many companies, most companies, who have had asbestos anywhere in their ceiling tiles, walls, or in the case of Sears Roebuck, in one washer and one iron sold between 1957 and 1958.

Spending on the lawsuits might make sense if our justice system actually compensated victims suffering from asbestos poisoning. But, as the chart behind me shows, most asbestos awards go to lawyers' fees and court costs, and a minority actually goes to the lawsuit plaintiffs. Of the amount that goes to plaintiffs, only a small fraction goes to people who are actually suffering from asbestos poisoning.

When you look at this situation, as Justice Ruth Bader Ginsberg did, you see a system crying out for reform. Amazingly, the American Bar Association has called for this liability reform.

In this House, I introduced the Asbestos Compensation Act with 40 cosponsors, and my colleague the gentleman from Utah (Mr. CANNON) introduced similar legislation. But in 2 days, our eyes will be on the Senate Judiciary Committee, who will take up this issue with Senator LEAHY and Senator HATCH, and I think it is the best chance that we have to move a key piece of legislation forward to help our economy.